

2001 DRAFTING REQUEST**Senate Amendment (SA-SB55)**Received: **06/06/2001**Received By: **rkite**Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**By/Representing: **Hotynski**This file may be shown to any legislator: **NO**Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - nav. waters**

Extra Copies:

Submit via email: **NO**

Requester's email:

Pre Topic:

LFB:.....Hotynski -

Topic:

Funding to upgrade the Wausau Whitewater Course on the Wisconsin River in Wausau

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rkite 06/07/2001	jdyer 06/07/2001	jfrantze 06/07/2001	_____	lrb_docadmin 06/07/2001		
/2	rkite 06/08/2001	jdyer 06/08/2001	pgreensl 06/08/2001	_____	lrb_docadmin 06/09/2001		

06/09/2001 09:59:39 AM

Page 2

FE Sent For:

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06/07/2001 05:31:27 PM

Page 1

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06/06/2001 10:40:39 AM

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/?	rkite	1 6/1 jld	266/17	266/17			

FE Sent For:

<END>

NATURAL RESOURCES – DEPARTMENTWIDE

Wausau Kayak/Canoe Corporation

Motion:

Move to provide \$50,000 SEG in 2001-02 only from the water resources account of the conservation fund to the Wausau Kayak/Canoe Corporation, a non-profit organization, to upgrade the Wausau Whitewater Course on the Wisconsin River in Wausau. Require that the Wausau Kayak/Canoe Corporation provide \$50,000 in matching funds to receive the grant.

(5)(cg)

Note:

Based on the provisions of SB55 and action by the Joint Committee on Finance to date, the balance of water resources account of the conservation fund is estimated to be \$630,000 on June 30, 2003.

[Change to Base: \$50,000 SEG]

[Change to Bill: \$50,000 SEG]

www.home.dwave.net/~wkcc

MO#	
Burke	N
Decker	N
Moore	N
Shibilski	N
Plache	N
Wirch	N
Darling	N
Welch	N
Gard	N
Kaufert	N
Albers	N
Duff	N
Ward	N
Huebsch	N
Huber	N
Coggs	N

160



(500w)
State of Wisconsin
2001 - 2002 LEGISLATURE

RMR
/1
LRBb0658/1
RNK.....
jld

D - Note LPS - fix
request sheet
OK

LFB:.....Hotynski - Funding to upgrade the Wausau whitewater course on
the Wisconsin River in Wausau

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

1 At the locations indicated, amend the bill as follows:

for providing
recreation funding

2 1. Page 511, line 18: after "237.08 (2)." insert "for upgrading that part of the
3 Wisconsin River in the city of Wausau that is known as the Wausau Whitewater
4 Course under 2001 Wisconsin Act (this act), section 9137 (5m)." E

5 2. Page 511, line 19: after that line insert:

6 "SECTION 605m. 20.370 (5) (cq) of the statutes, as affected by 2001 wisconsin
7 Act (this act), is amended to read:

8 20.370 (5) (cq) *Recreation aids — recreational boating and other projects.* As

9 ~~a continuing appropriation, the amounts in the schedule for recreational boating~~
10 ~~aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the~~
11 ~~Southeastern Wisconsin Fox River commission under 1997 Wisconsin Act 237,~~

↓

section 9136 (2), and under 1999 Wisconsin Act 9, section 9136 (10z), for the Portage levee system and the Portage canal under s. 31.309, for development of a state park under s. 23.198, for activities relating to aquatic nuisance species under s. 30.1255 ~~(4)~~ and for the engineering and environmental study under s. 31.307.

NOTE: NOTE: Par. (cq) is repealed and recreated eff. 7-1-01 by 1999 Wis. Act 9 to read: NOTE:

(cq) Recreation aids - recreational boating and other projects. As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Portage levee system and the Portage canal under s. 31.309, for development of a state park under s. 23.198 and for the engineering and environmental study under s. 31.307. 12 pt font

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185.

3. Page 1756, line 12: after that line insert:

(5m) WAUSAU WHITEWATER COURSE. From the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the department shall provide \$50,000 in fiscal year 2001-02 to an organization that is known as the Wausau Kayak/Canoe Corporation to upgrade that part of the Wisconsin River in the city of Wausau that is known as the Wausau Whitewater Course." of natural resources

4. Page 1822, line 21: after that line insert:

(3m) WAUSAU WHITEWATER COURSE. The treatment of section 20.370 (5) (cq) (by SECTION 605m) of the statutes takes effect on July 1, 2001."

(END)

~~for providing funding~~ strike

for funding for the Fox River Navigational System Authority under s. 237.08(2), ~~for upgrading that part of the Wisconsin River in the city of Wausau that is known as the Wausau Whitewater Course under 2001 Wisconsin Act ... (this act), section 9131(5m)~~

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0658/181dn

RNK.....
jld

Rebecca Hotynski:

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under art. IV, sec. 18 of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this amendment cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". As it is difficult to predict the potential for and outcome of any court action on this amendment, the committee may wish to consider introducing this proposal as a separate bill.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0658/1dn
RNK:jld:jf

June 7, 2001

Rebecca Hotynski:

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this amendment cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". As it is difficult to predict the potential for and outcome of any court action on this amendment, the committee may wish to consider introducing this proposal as a separate bill.

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(Soon)
State of Wisconsin
2001 - 2002 LEGISLATURE

2
LRBb06584
RNK:jld:jf

D Note

LFB:.....Hotynski – Funding to upgrade the Wausau Whitewater Course on
the Wisconsin River in Wausau

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

1 At the locations indicated, amend the bill as follows:

2 1. Page 511, line 18: after “237.08 (2).” insert “for providing funding for
3 upgrading that part of the Wisconsin River in the city of Wausau that is known as
4 the Wausau Whitewater Course under 2001 Wisconsin Act (this act), section 9137
5 (5e).”.

6 2. Page 511, line 19: after that line insert:

7 “SECTION 605m. 20.370 (5) (cq) of the statutes, as affected by 2001 Wisconsin
8 Act (this act), is amended to read:

9 20.370 (5) (cq) *Recreation aids — recreational boating and other projects.* As
10 a continuing appropriation, the amounts in the schedule for recreational boating
11 aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the

1 Portage levee system and the Portage canal under s. 31.309, for development of a
2 state park under s. 23.198, for funding for the Fox River Navigational System
3 Authority under s. 237.08 (2), ~~for providing funding for upgrading that part of the~~
4 ~~Wisconsin River in the city of Wausau that is known as the Wausau Whitewater~~
5 ~~Course under 2001 Wisconsin Act (this act), section 9137 (5e), and for the~~
6 engineering and environmental study under s. 31.307.”.

7 **3.** Page 1756, line 12: after that line insert:

8 “(5e) WAUSAU WHITEWATER COURSE. From the appropriation under section
9 20.370 (5) (cq) of the statutes, as affected by this act, the department of natural
10 resources shall provide \$50,000 in fiscal year 2001-02 to an organization that is
11 known as the Wausau Kayak/Canoe Corporation to upgrade that part of the
12 Wisconsin River in the city of Wausau that is known as the Wausau Whitewater
13 Course.”.

14 **4.** Page 1822, line 21: after that line insert:

15 “(3e) WAUSAU WHITEWATER COURSE. The treatment of section 20.370 (5) (cq) (by
16 SECTION 605m) of the statutes takes effect on July 1, 2001.”. ✓
17

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

date

LRBb0658/2

RNK.....
JLD

Rebecca Hotynski:

This redraft corrects an error in the effective date provision. The delayed effective date should refer to July 1, 2002, and not July 1, 2001, as in the previous version of the draft.

↑

↑

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DRAFTER'S NOTE
FROM THE
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LRBb0658/2
RNK:jld:pg

June 8, 2001

Rebecca Hotynski:

This redraft corrects an error in the effective date provision. The delayed effective date should refer to July 1, 2002, and not July 1, 2001, as in the previous version of the draft.

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14 **4.** Page 1822, line 21: after that line insert:

15 “(3e) WAUSAU WHITEWATER COURSE. The treatment of section 20.370 (5) (cq) (by
16 SECTION 605m) of the statutes takes effect on July 1, 2002.”.

17 (END)